

**REMARKS**

Claims 46-50, 52-54, 56-66, and 68-118 are pending and at issue. The office action mailed June 10, 1999 confirms that these claims (46-50, 52-54, 56-66, and 68-118) are allowable over the prior art.

The only rejection in this case is that of claims 46-50, 52-54, 56-66, and 68-118, which are rejected as based upon a defective reissue declaration. The office action acknowledges the original reissue declaration filed with the parent reissue application, but points out, however, that additional errors (stemming from amendments during prosecution of this divisional application) are now being addressed by the conditionally-allowed claims.

In Applicant's November 10, 2009 submission, Applicant petitioned the Commissioner to suspend the requirement that all inventors must sign a supplemental reissue declaration, because two inventors had refused to sign: Messrs. Kurtz and Mourou. Subsequent to that submission, Gerard A. Mourou has executed the supplemental reissue declaration, a copy of which is attached as *Exhibit A*.

The supplemental reissue declaration is now executed by all of the inventors, except Ronald M. Kurtz, who has refused to execute the supplemental reissue declaration in this case, as he has the most-recent supplemental reissue declaration in co-pending application USSN 09/775,069.

The petition under 37 C.F.R. 1.183 is maintained regarding the remaining signature of Dr. Kurtz.

It is believed that no fee is due. However, if the Commissioner determines that a fee is due, the Commissioner is authorized to charge any additional fee to our credit card.

### CONCLUSION

On the basis of these facts and for the foregoing reasons, it is solicited that the attached supplemental reissue declaration be accepted under 37 C.F.R. 1.183.

Should the examiner have any question of form or substance, he is encouraged to contact the undersigned attorney at the telephone number and address listed below.

Dated: November 30, 2009

Respectfully submitted,

By   
Paul B. Stephens

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